

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

Plaintiff,

ORDER OF DETENTION
PENDING TRIAL

KORTNEY MOORE,

07-CR-13-C

Defendant.

On May 17, 2007, this court held a hearing pursuant to 18 U.S.C. §3142(f) on the government's motion to detain defendant Kortney Moore pending his trial in this heroin, fentanyl and crack trafficking case. Because the grand jury charged defendant with offenses for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, § 3142(e) imposes a rebuttable presumption that no combination of release conditions will assure defendant's appearance and the safety of the community. The government has solid evidence of hand-to-hand sales to informants and an undercover officer. Defendant, who is 19 years old, reported to police that he had sold about an ounce of drugs a week for the preceding 11 months. Although defendant's proposed custodian is mature and trustworthy, defendant possesses neither of these qualities. His interaction with police dating back to the age of 11 demonstrates that defendant is a reckless, self-absorbed teen-aged scofflaw. Defendant's unpersuasive post-arrest professions of concern and affection for his proposed custodian and their unborn child might as well be written on the wind or in running water. There is no reason to believe that defendant would follow this court's orders or appear when required.

Therefore, it is ORDERED that the defendant is committed to the custody of the United States Marshals Service for confinement at a proximate jail separate from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with his attorney. On order of this court or on request of an attorney for the Government, the jail shall deliver the defendant to the Marshals Service for the purpose of an appearance in this case.

Dated: May 18, 2007

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge